

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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WARREN D. PRICE

Plaintiff,

v.

ORDER  
05-CV-506

GENERAL MOTORS CORPORATION  
Defendant.

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This case was referred to Magistrate Judge Hugh B. Scott pursuant to 28 U.S.C. § 636(b)(1), on August 24, 2005. On December 29, 2006, defendant filed a motion for summary judgment. On April 19, 2007, Magistrate Judge Scott filed a Report and Recommendation, recommending that defendant's motion for summary judgment be granted.

Plaintiff filed objections to the Report and Recommendation on May 10, 2007 and defendant filed a response on June 6, 2007. Oral argument on the objections was held on July 27, 2007.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and Recommendation, and after reviewing the submissions and hearing argument

from the parties, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, defendant's motion for summary judgment is granted. The Clerk of Court is directed to take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA  
CHIEF JUDGE  
UNITED STATES DISTRICT COURT

DATED: August 24, 2007